

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
IDS PROPERTY CASUALTY INSURANCE COMPANY,

Plaintiff,

-against-

MARK BURTON and DENNIS T. FENNEL,

**PLAINTIFF'S  
SUPPLEMENTAL  
RULE 26 INITIAL  
DISCLOSURES**

Case No.: 11-CV-0026 (ER)

Defendants.

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Plaintiff, IDS PROPERTY CASUALTY INSURANCE COMPANY ("IDS"), by its attorneys, RUBIN, FIORELLA & FRIEDMAN LLP, makes the following supplemental initial disclosures, pursuant to Federal Rules of Civil Procedure Rule 26:

2. All documents in the possession, custody, or control of plaintiff that it may use to support its claims or defenses in this matter:
  - (a) The transcript of the November 22, 2011 deposition of Dennis T. Fennel, taken in the underlying bodily injury action, *Dennis T. Fennel v. Marc Burton a/k/a Mark Burton*, Supreme Court of the State of New York, County of Orange, Index No. 5876/2010, redacted to protect Dennis T. Fennel's privacy (home address, date of birth, and Social Security Number). A copy of the foregoing deposition transcript is annexed hereto as Exhibit A.

Plaintiff reserves the right to supplement this response should additional information become available.

Dated: New York, New York  
February 14, 2012

Yours, etc.

**RUBIN, FIORELLA & FRIEDMAN LLP**

By: 

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**This document has not been served  
upon the below-named defendant,  
DENNIS T. FENNEL, because a  
default judgment was entered  
against said defendant on July 26, 2011**

**DENNIS T. FENNEL**  
Defendant  
8 Belvoir Drive  
Washingtonville, New York 10992